

Lon A. Jenkins (4060)
Tami Gadd (12517)
MaryAnn Bride (13146)
Katherine T. Kang (14457)
OFFICE OF THE CHAPTER 13 TRUSTEE
465 South 400 East, Suite 200
Salt Lake City, Utah 84111
Telephone: (801) 596-2884
Facsimile: (801) 596-2898
Email: utahtrusteemail@ch13ut.org

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

IN RE:

CASE: 24-22766

Ronald Bernard Bingham
Anna Marie Yeneza Bingham

CHAPTER 13

Debtors

Hon. JOEL T. MARKER

TRUSTEE'S CONTINUING OBJECTION TO CONFIRMATION

The Standing Chapter 13 Trustee, hereby objects to confirmation based on the following unresolved issues:

Confirmation Issues Arising Since Last Filed Objection

1. The Debtor's plan treats Markosian Auto as secured, but to date no claim has been filed. If no claim is filed prior to the deadline for creditors to file a claim, the Debtor should file a claim pursuant to FRBP 3004 on behalf of the creditor or amend the plan to remove the secured treatment.
2. Schedule A/B fails to properly value the following asset(s): BlueBird account.

3. There is a discrepancy between the attorney's fees listed in Part 4.3 of the plan and the Bankruptcy Rule 2016 Statement (Official Form 2030). Counsel must resolve this discrepancy and accurately disclose the receipt of any retainer.

4. The Debtors are not submitting their entire net disposable income to the chapter 13 plan, instead proposing to pay 100% to all unsecured creditors. The Trustee opposes the retention of excess disposable income unless the return to unsecured creditors will be no less than the amount of excess disposable income multiplied by the number of months before the modification in order to comply with 11 USC 1325(b).

THEREFORE, the Trustee has an ongoing objection to the confirmation.

Dated: October 16, 2024

Lon A. Jenkins
Chapter 13 Trustee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Continuing Objection to Confirmation was served upon all persons entitled to receive notice in this case via ECF Notification or by U.S. Mail to the following parties on October 16, 2024:

JARED B. PEARSON, ECF Notification

/s/ Pauline Thayne